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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: David J. Luneau et al.	Art Unit	: 2645
Serial No.	: 10/038,866	Examiner	: Gerald Gauthier
Filed	: January 4, 2002		
Title	: TELEPHONE NETWORK MESSAGING		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

REPLY TO ACTION DATED JUNE 19, 2003

All of pending claims 1-22 stand rejected over the Wolf patent (United States Patent No. 5,875,232), either as anticipated by Wolf (claims 1-7, 10-12, and 15) or as obvious in view of Wolf as the primary reference in combination with a number of secondary references (claims 8-9, 13-14, and 16-22). Applicants respectfully traverse these rejections.

Amongst other features, sole independent claim 1 recites the feature of "setting up a *non-associated telephone call* to the recipient telephone number from a *simulated* calling party having the same telephone number as the message code, such that the telephone network uses the caller-identification feature to communicate data corresponding to the message code to the recipient telephone number." Applicants respectfully submit that this and other features of claim 1 are absent from the Wolf patent.

Applicants have specifically defined the term "non-associated telephone call" at page 3, line 25, to page 4, line 2, of the specification, as follows (emphasis added):

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The term "non-associated telephone call" means a simulated telephone call from a simulated calling party (having the same telephone number as the message code) to the real recipient telephone number. In the non-associated telephone call, the caller-identification information for the simulated calling party is communicated (e.g., using SS7) to the recipient telephone number, *but no actual call is provisioned*.

In contrast, in the portion of the Wolf patent cited by the Examiner, an *actual* call is provisioned, not a simulated telephone call from a simulated calling party.

This important difference between the "non-associated telephone call" of claim 1 and the actual telephone call of Wolf can be further seen in one of the embodiments disclosed in the specification, which explains that, by virtue of the "non-associated telephone call," there is a reduced burden on the circuit-switched telephone network and there is no need to deploy servers to each Central Office (page 9, lines 10-27, emphasis added):

> To send a message, one or more message recipients, each of whom has a telephone number on the network, is first identified. For instance, if a hurricane warning is to be sent to everyone in the Florida Keys, the telephone numbers of each household in that region are identified. Then the system determines the telephone number message code corresponding to a hurricane warning, e.g., (555) 555-0002. For each of the identified recipient telephone numbers, the server sets up *a non-associated telephone call*. The ICLID signal for this non-associated telephone call includes data corresponding to the telephone number/message code corresponding to a hurricane warning, e.g., (555) 555-0002. This signal is received by each recipient, in the same manner as caller ID information. However, *there is no actual call being placed from this telephone number, and thus no line is provisioned. If the recipient were to "answer" the call, no actual end-to-end telephone circuit would be established, and no call completion would take place. Thus, the non-associated call is a simulated call from a simulated calling party dialing from a telephone number that is identical to the message code. Only the called party (the message recipient) is real.* This technique is particularly advantageous in that it puts minimal resource demands on the circuit-switched telephone network, and does not require expensive deployments of servers to each Central Office served. One server 6 can be located anywhere on the SS7 network.

Applicants submit that the Wolf patent neither discloses, nor suggests, the step of setting up a "non-associated telephone call" to a recipient telephone number from a simulated calling party having the same telephone number as a message code.

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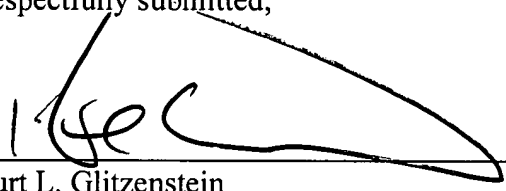Filed : January 4, 2002
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For the foregoing reasons, Applicants further submit that all pending claims of the present application are patentable, which action is requested.

Enclosed is a check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, reference 10200-010001.

Respectfully submitted,

Date: November 19, 2003

Kurt L. Glitzenstein
Reg. No. 39,686

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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